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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/912,974	07/25/2001	Michael A. Koptiw JR.	2000-0453	6541

7590 11/07/2003  
Samel H. Dworetsky  
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Middletown, NJ 07748-4110

EXAMINER

UBILES, MARIE C

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 11/07/2003

4

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/912,974

Applicant(s)

KOPTIW ET AL.

Examiner

Marie C. Ubiles

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1,2,5-7,9 and 12 is/are rejected.
- 7) ☒ Claim(s) 3,4,8,10 and 11 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ 6) ☐ Other: \_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 9 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. On line 2, the term "scenario" renders the limitation indefinite.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 9 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Moharram (US 5,825,860). Moharram discloses a method for managing multiple communications between a control point (See Figure 6, element 102 and Detailed Description, Col. 6, lines 1-5) and a plurality of network elements (See Figure 6, elements 106, 108 and 110) in a telecommunications network (See Detailed Description, Col. 5, lines 50-53), comprising:

- Receiving at a Service Interaction Media (SIM) device or a combination of a Mediation Point and Service Transfer Point (STP) (See Figure 6, elements 106

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and 108) call information associated with a call at one of said network elements  
(See Detailed Description, Col. 9, lines 46-50).

- Deriving at the Service Interaction Media (SIM) device or a combination of a Mediation Point and Service Transfer Point (See Figure 6, elements 106 and 108) a service code or identifying a control related to a query based on the call information (See Summary of Summary of the Invention, Col. 4, lines 58-64)
- Formulating a service session or active communications connection with the one network element based on the service code or said control (See Detailed Description, Col. 9, lines 57-63 and Col. 10, lines 1-6), and
- Controlling operation of the one network element in response to the service session or active communications connection to generate an integrated reply to the control point (See Claim 5, Col. 10, lines 60-65).

As for claim 9, the broadly claimed "scenario" reads on any service taught by Moharram. As for claim 12, Moharram discloses that the one network element comprises a Service Control Point (SCP) (See Figure 6, element 102).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moharram (US 5,825,860) in view of Fikis et al. (US 5,953,404). For claim 2, the Mediation Point 106 provide<sup>2</sup> interworking between two different network protocols. Generally, mediation is for interworking or communication between different components or networks using different protocols.

Fikis et al. points out "When interconnecting with external networks and Signalling Points, however, a network operator must use indirect controls to ensure that signalling across the interconnect interface and the interworking relationships it controls, does not disrupt the internal network or its constituent SP's. Mediation, the subject of this invention, is one such indirect control." (See Summary of the Invention, Col. 9, lines 65-67 and Col. 10, lines 1-4).

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moharram (US 5,825,860) in view of Hertz et al. (US 6,185,289). Moharram discloses the invention as claimed except for the call information comprising Automatic Number Identification (ANI).

Hetz et al. teaches "[...]the ISCP 21 utilizes the automatic number identification (ANI) of the calling party line, included in the TCAP query from switch 21, to access an appropriate call processing record (CPR)." (See Best Mode for Carrying Out the Invention, Col. 15, lines 61-64).

It would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify Moharram method as per the teachings of Hetz et al.; in order to provide a method of multiple communication management between a control point and a plurality of network elements wherein the call information received at the ISCP or Mediation Point is the ANI. Thus, allowing the Service Interaction Media (SIM) or Mediation Point and STP to access the calling party personal information and giving the Mediation Point and STP the ability to identify the required control based on said personal information and derive a service code and process service for said call in a more efficient manner.

Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moharram (US 5,825,860) in view of Kung et al. (US 6,570,855). For claim 6 and 7, accessing an SSP via an "interface" would have been obvious. It would, for example, read on any type of interface a subscriber uses at home.

About the use of API as the interface, Kung et al. points out "The point where ISUP and TCAP messages are terminated at a signaling system 7 (SS7) signaling gateway is defined as a Service Switching Point (SSP) to the signaling system 7 (SS7) network 170. The call manager 218 may be configured with a standardized Application Programming Interface (API) to allow interaction with the signaling system 7 (SS7) by, for example, sending and/or receiving ISUP and TCAP messages from a service switching point (SSP)." (See Detailed Description of Preferred Embodiments, Col.13, lines 49-56)

***Allowable Subject Matter***

4. Claim 3-4, 8 and 10-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

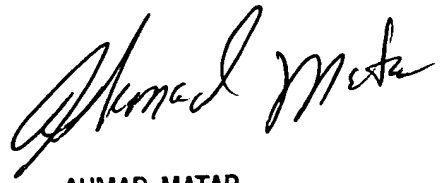
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marie C. Ubiles whose telephone number is (703) 305-0684. The examiner can normally be reached on 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703) 305-4731. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7201 for regular communications and (703) 305-7201 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Marie C. Ubiles  
November 3, 2003

A handwritten signature in black ink, appearing to read "Ahmad Matar". The signature is fluid and cursive, with the first name "Ahmad" and last name "Matar" clearly distinguishable.

AHMAD MATAR  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600